RECALLED

March 3, 2016

**S. 1049**

Introduced by Senators Massey and Setzler

S. Printed 3/3/16--H.

Read the first time February 23, 2016.

**A** **BILL**

TO AMEND ARTICLE 13, CHAPTER 47, TITLE 33 OF THE 1976 CODE, RELATING TO MARKETING COOPERATIVE ASSOCIATIONS, BY ADDING SECTION 33‑47‑1160 TO ALLOW ASSOCIATIONS WITHIN TWO YEARS OF EXPIRATION TO SEEK REINSTATEMENT FROM THE SECRETARY OF STATE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 13, Chapter 47, Title 33 of the 1976 Code is amended by adding:

“Section 33‑47‑1160. (A) An association whose term of existence has expired may apply to the Secretary of State for reinstatement within two years after the effective date of expiration. The application must:

(1) recite the name of the association and the effective date of its expiration; and

(2) include revised articles of incorporation with a new term as required by Section 33‑47‑210(4).

(B) If the Secretary of State determines the application contains the information required by subsection (A) and the information is correct, the Secretary of State shall cancel the expiration and prepare a certificate of reinstatement reciting its determination and the effective date of reinstatement, file the original of the certificate, and provide a copy to the association.

(C) When reinstatement is effective, it relates back to and takes effect as of the effective date of the expiration and the association shall resume carrying on its activities as if the expiration had never occurred.”

SECTION 2. This act takes effect upon approval by the Governor.

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